

EVANGELO ARVANETES  
Assistant Federal Defender  
Federal Defenders of Montana  
Office Headquarters, Great Falls  
104 2<sup>nd</sup> Street South, Suite 301  
Great Falls, Montana 59401-3645  
vann\_arvanetes@fd.org  
Phone: (406) 727-5328  
Fax: (406) 727-4329  
Attorneys for Defendant

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEBORAH JOY DURAND,

Defendant.

**CR 16-43-GF-BMM**

**DEFENDANT'S  
MOTION TO EXCLUDE  
EVIDENCE**

Defendant Deborah Joy Durand (Ms. Durand), by and through her counsel of record, Evangelo Arvanetes and the Federal Defenders of Montana, herein moves this Court to exclude from admission into evidence at bench trial a video recording of an interview of Ms. Durand, a video recording of Ms. Durand attending a ruse kayak trip, and a “picture-in-picture” (or PIP) video recording of the interview video with the ruse kayak trip superimposed into that interview recording.

In the alternative to excluding those individual videos altogether, Ms. Durand moves this Court to exclude the PIP video because the prejudicial effect of this edited version outweighs the probative value of it, and it would be more intellectually honest and probative to view both unedited versions of the kayak trip video and the post-kayak-trip interview video separately as long as there is expert testimony about each.

The grounds for this motion are set forth in a brief which is being contemporaneously filed with this motion.

Pursuant to local rule, Assistant United States Attorney Ryan G. Weldon objects to this Motion.

RESPECTFULLY SUBMITTED July 21, 2017.

/s/ Evangelo Arvanetes  
EVANGELO ARVANETES  
Assistant Federal Defender  
Counsel for Defendant

**CERTIFICATE OF SERVICE**  
**L.R. 5.2(b)**

I hereby certify that on July 21, 2017, a copy of the foregoing document was served on the following persons by the following means:

1, 2 CM-ECF  
3 Mail

1. CLERK, U.S. DISTRICT COURT      3. DEBORAH JOY DURAND  
Defendant

2. RYAN G. WELDON  
Assistant United States Attorney  
Counsel for the United States

/s/ Evangelo Arvanetes  
Assistant Federal Defender  
Counsel for Defendant